

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Criminal No.
03-10234-MLW

UNITED STATES OF AMERICA

v.

JOHN GILLIES
BENJAMIN SILVER,
and JOSHUA GOLDSMITH

FINAL STATUS REPORT

October 6, 2004

DEIN, M.J.

A Final Status Conference was held before this court on Wednesday, October 6, 2004, pursuant to the provisions of Local Rule 116.5(C). Based on that conference, this Court enters the following report, in accordance with Local Rule 116.5(D):

1. While discussions are ongoing, at this point it appears that a trial is likely.
2. Discovery is completed and there are no outstanding or anticipated discovery issues.
3. The defendants shall file a motion to suppress by November 22, 2004.
4. Based upon the prior orders of the court dated October 3, 2003, November 6, 2003, December 17, 2003, January 23, 2004, February 11, 2004, March 24, 2004, May 14, 2004, June 14, 2004, July 1, 2004, August 5, 2004, September 8, 2004, September 22, 2004, the agreement of the parties as detailed in the joint Initial Status Conference Report dated November 6, 2003, and the order on excludable time of this date, as of November 22, 2004, there will be zero (0) days of non-excludable time under the Speedy Trial Act, and seventy (70) days will remain under the Speedy Trial Act in which this case must be tried. The filing of any

motion shall cause additional excludable time for Speedy Trial Act purposes.

5. It is estimated that if the case goes to trial, it will take approximately 5 - 7 days.
6. The file is hereby ordered returned to the District Judge to whom this case is assigned for further proceedings.

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge